

PATENT MAINTENANCE
DIVISION

DEPT REF
Rm 307



2004 JUL -8 PM 4:02

MS 16
PATENT
0459-0700P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Morten Bruun-Larsen et al.
Appl. No.: 10/086,540 Group: 2828
Filed: March 4, 2002 Examiner: James A. Menefee
For: OPTICAL FEEDBACK SYSTEM
ATTENTION: Refund Section
Accounting Division
OFFICE OF FINANCE

REQUEST FOR A REFUND

(Improper Fees Paid - Small Entity Previously Established)

MS 16
Director of the U.S. Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

July 2, 2004

Sir:

The following documentation and remarks are respectfully
submitted in connection with the above-identified application.

DOCUMENTATION

Attached hereto is:

- ☒ a copy of written assertion of small entity status
filed on March 4, 2002; and/or
- ☐ a copy of an executed Statement Claiming Small Entity
Status (37 C.F.R. § 1.9(f) and 1.27()) - filed on .

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Appl. No. 10/086,540

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REMARKS

Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the extension of time fee paid on June 14, 2004. Small entity status was established prior to payment of this fee by the filing of a written assertion/statement on March 4, 2002.

Under 37 C.F.R. § 1.26(b), any request for a refund which is not based upon subsequent entitlement to small entity status must be filed with a two-year nonextendable time limit.

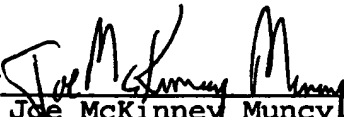
The extension of time fee in the amount of \$110.00 was paid on June 14, 2004. It is respectfully requested that the excess fee of \$55.00 be credited to Deposit Account No. 02-2448.

Favorable action on the present Request is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Joe McKinney Muncy #32,334

KM/ndb
0459-0700P

P.O. Box 747
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(Rev. 02/18/2004)

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COPY

Date: March 4, 2002

Docket No.: 0459-0700P

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c), which claims priority under 35 U.S.C. § 119(e) of Provisional Application Nos. 60/279,683 and 60/331,254 filed on March 30, 2001 and November 13, 2001, respectively.

Inventor(s): BALLE-PETERSEN, Olav and BRUUN-LARSEN, Morten

For: OPTICAL FEEDBACK SYSTEM

Enclosed are:

- ☒ A specification consisting of eighteen (18) pages
- ☒ Four (4) sheet(s) of formal drawings
- ☐ Certified copy of Priority Document(s)
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☐ Preliminary Amendment
- ☒ Information Sheet

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Docket No. 0459-0700P

- ☐ Information Disclosure Statement, PTO-1449 and reference (9) 4: 02
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)
- ☒ Amend the specification by inserting before the first line the sentence:

--This application claims priority on provisional Application Nos. 60/279,683 and 60/331,254 filed on March 30, 2001 and November 13, 2001, respectively, the entire contents of which are hereby incorporated by reference.--

- ☐ Other:
- ☒ Provisional application filed in English:
☐ YES ☐ NO

If "NO," an English translation with a Statement of Accuracy:
☐ is attached hereto ☐ will follow.

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$740.00	\$370.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	41- 20 =	21	X 18 = \$0.00	x 9 = \$189.00
INDEPENDENT CLAIMS	2- 3 =	0	x 84 = \$0.00	x 42 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$0.00	\$559.00

- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The

PATENT MAINTENANCE
DIVISION

Docket No. 0459-0700P

original duly executed declaration together with the
surcharge will be forwarded in due course.

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- ☒ A check in the amount of \$559.00 to cover the filing fee is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 2292
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____
Joe McKinney Muncy, #32,334

KM/rem
0459-0700P

P.O. Box 747
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(703) 205-8000

Attachments

(Rev. 02/20/02)

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MS AF
REPLY UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2828

PATENT
0459-0700P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Morten Brunn-LARSEN et al. Conf.: 1861
Appl. No.: 10/086,540 Group: 2828
Filed: March 4, 2002 Examiner: James A. Menefee
For: OPTICAL FEEDBACK SYSTEM

REPLY AFTER FINAL UNDER 37 C.F.R. § 1.116

MS AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 14, 2004

Sir:

Responsive to the Final Office Action dated February 12, 2004,
the due date having been extended one (1) month, the following
amendments and remarks are respectfully submitted in connection
with the above-identified application.

This reply includes: Amendment to the Claims and Remarks.

Adjustment date: 08/04/2004 EEKUBAY1
06/16/2004 WABDELR1 00000082 10086540
01 FC:1251 -110.00 OP

08/04/2004 EEKUBAY1 00000005 10086540
01 FC:2251 55.00 OP

Repln. Ref: 08/04/2004 EEKUBAY1 0008495700
DAH:022448 Name/Number:10086540
FC: 9204 \$55.00 CR

06/16/2004 WABDELR1 00000082 10086540
01 FC:1251 110.00 OP